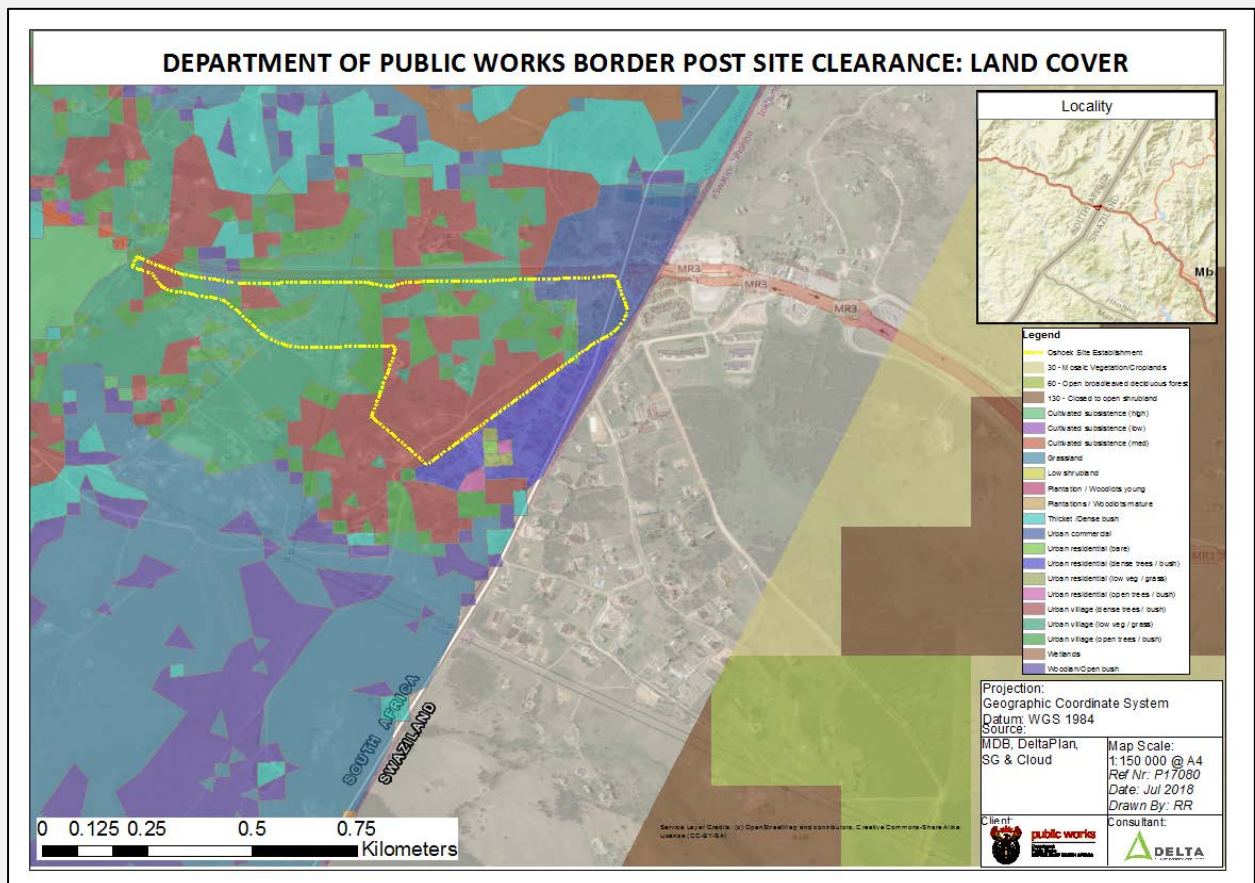


NOTICE OF APPLICATION FOR ENVIRONMENTAL AUTHORISATION, TOWNSHIP ESTABLISHMENT, SPECIALIST INVESTIGATIONS AND GENERAL AUTHORISATION THE PROPOSED OSHOEK PORT OF ENTRY SITE CLEARANCE AND REFURBISHMENTS, MPUMALANGA PROVINCE IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS OF 2014 (AS AMENDED), NATIONAL WATER ACT OF 1998 AND NATIONAL HERITAGE RESOURCES ACT OF 1999.

MPUMALANGA PROVINCE

BACKGROUND INFORMATION DOCUMENT



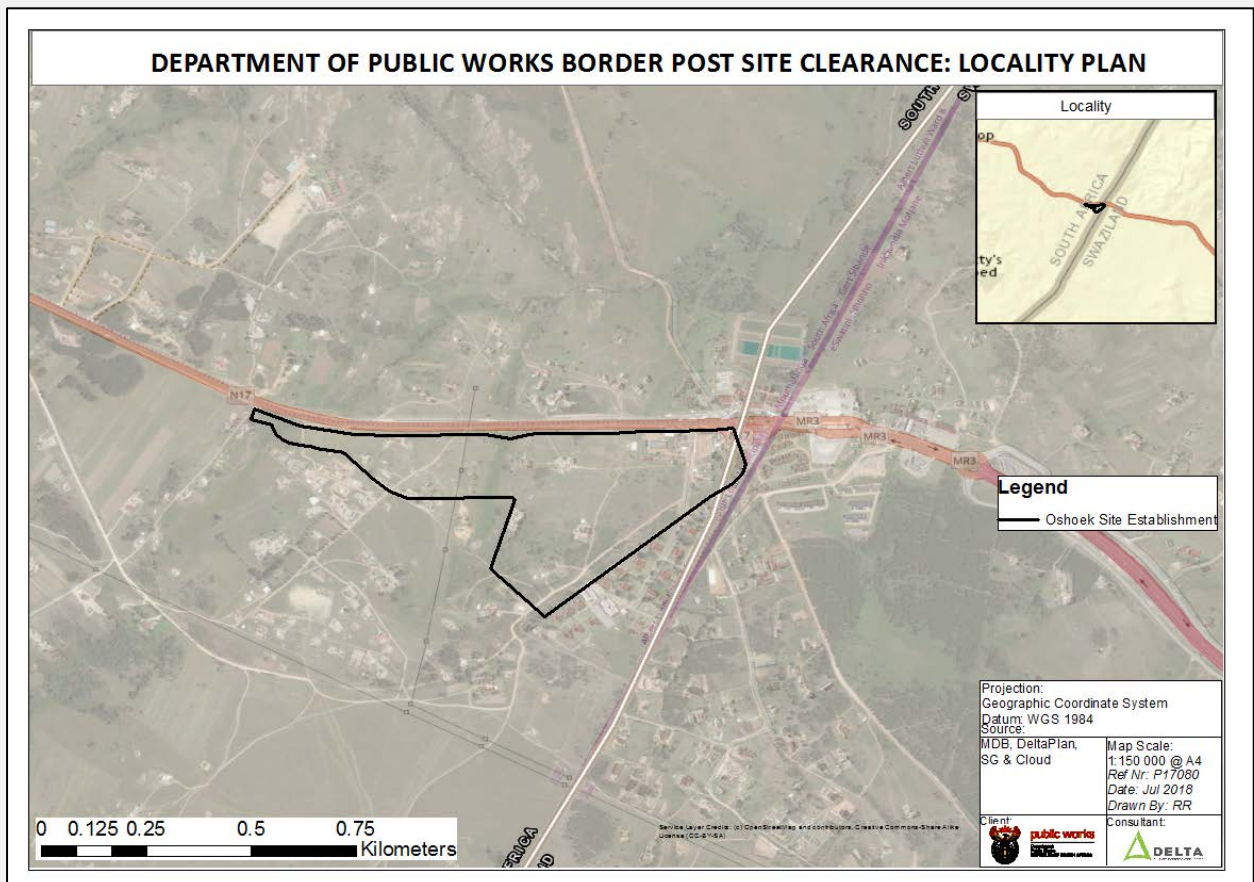
1. BACKGROUND

The Oshoek Land Port of Entry is situated within Chief Albert Luthuli Local Municipality in Mpumalanga Province. The project entails all planning work for the Oshoek Land Port of Entry area site clearance. The project is initiated by the client of the National Department of Public Works (DPW), which is the Border Control Operational Coordinating Committee (BCOCC). An area in the figure below has been identified as the "Subject Area", hereafter referred to as the study area that forms part of the portion of land subject to the Environmental Impact Assessment that will enable the identification and demarcation of the area that will be conceptualised for the future development of the Oshoek Land Port.

In terms of the National Environmental Act [NEMA], 1998 (Act 107 of 1998) as read with the EIA Regulations of 2014 (as amended on 07 April 2017), a Basic Assessment process will be required to obtain Environmental Authorisation for the development of the Oshoek Land Port of Entry Development.

2. PROJECT LOCATION

The proposed border post is located on the border of Swaziland at the end of the N17, which travels between Gauteng and Swaziland. It falls within the Chief Albert Luthuli Local Municipality and the Gert Sibande District Municipality. The N17 freeway provides the east-west link from Gauteng to Swaziland in the east through the Oshoek border Post. This route is the freight corridor for the transportation of timber, agricultural produce and coal for areas within Mpumalanga Province.



3. PROPOSED DEVELOPMENT

The proposed development will consist of a site clearance for the:

- Township Establishment through application to the municipality, due to the extent and multiple nature of land uses on the site. In this regard the process will be executed up to the stage of enabling a service level agreement with the municipality.
- Environmental Authorisation and licensing. Subject to the site assessment permitting for plant rescue and resettlement activities and water use together with Specialist investigations
- SAHRA approval and Heritage Impact Assessment.
- Land procurement through preliminary negotiations and to conclude a Land Availability Agreement confirming owners' willingness to make land available.

Following from the spatial mapping of the study area boundary, it is evident that the study area consists of a number of different farm portions. **Table 1-1** below summarises all properties located within the study area boundary.

Table 1-1: Property details within subject property

	FARM NUMBER	FARM NAME	EXTENT (HA)
1	Remaining Extent	of the Farm Oshoek 212 - IT	454,91
2	Remaining Extent of Portion 1	of the Farm Oshoek 212 - IT	32,77
3	Remaining Extent of Portion 2	of the Farm Oshoek 212 - IT	450,53
4	Remaining Extent of Portion 4	of the Farm Oshoek 212 - IT	478,27
5	Remaining Extent of Portion 7	of the Farm Oshoek 212 – IT	10.04
6	Remaining Extent	of the Farm Houtbosch 189 – IT	1599, 34

The study area measures approximately 19.5 hectares in extent, which is below the threshold for undertaking a full Scoping and EIA process.

4. Need and Desirability

4.1 Need

Due to the age of some of the buildings on site, a need has been established to refurbish and upgrade the buildings that are of a heritage value and to demolish the buildings that have no heritage value and that are dilapidated or are of a temporary nature that need to be replaced. There is a need to replace these buildings with new facilities and to add to the current buildings and facilities to ensure improved operations. There is also a need to improve the security of the property. The need is to ensure a facility that will enable safe, effective and efficient operations. This will require the implementation of the envisaged improvements as outlined in the previous sections of the memorandum.

There is a need to establish a township on the property to enable the said purposes and to ensure the correct zoning for the land use activities on the property. There is also a need to optimise the use of government property.

4.2 Desirability

The SADIC has been located and operated from the property as an ideal location for more than 40 years. The Defence Intelligence operations are of a confidential nature and therefore the site is considered ideal for the purpose and has been fenced off with access control at the main entrance.

The site has historically been zoned as Public Open Space. The site has; however, not been used for the said purpose. There is a need to establish a township and it is desirable and necessary to administratively align the actual and planned use with the correct zoning.

The application is in line with the following plans and frameworks:

5. REGULATORY REQUIREMENTS

The proposed Oshoek Site Clearance Development and Refurbishment will trigger several activities listed in terms of the National Environmental Management Act [NEMA], 1998 (Act No. 107 of 1998): Environmental Impact Assessment Regulations, 2014, as amended on 07 April 2017. Listed activities are listed in the following Government Notices: GN R. 983 and GN R.985. These listed activities will require that a Basic Assessment process be undertaken to obtain environmental authorisation.

LISTING NOTICE 1 (GNR 983 of 4 December 2014)

<u>ACTIVITY NO</u>	<u>LISTED ACTIVITY</u>
12(i)(a)	The development of infrastructure or structures with a physical footprint of 100 square metres or more where such development occurs within a watercourse.
14	The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.
19	The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse.
24(i)	The development of a road for which an environmental authorisation was obtained for the route determination in terms of Activity 5 in Government Notice 387 of 2006 or Activity 18 in Government Notice 545 of 2010.
27(i)	The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for the undertaking of a linear activity.
28(ii)	Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development will occur outside an urban area, where the total land to be developed is bigger than a hectare.

LISTING NOTICE 3 (GNR 985 of 4 December 2014)

ACTIVITY NO	LISTED ACTIVITY
4f(i)(ee)	The development of a road wider than 4 metres with a reserve less than 13.5 metres. f. Mpumalanga i. Outside urban areas (ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans
10f(i)(ee)	The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres. f. Mpumalanga i. Outside urban areas (ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans
12f(ii)	The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. f. Mpumalanga ii. Within critical biodiversity areas identified in bioregional plans.

As part of the environmental impact assessment process, Interested and Affected Parties (I&APs) will be offered the opportunity to register their interest to the project in order to partake in the public participation process in terms of Section 41 of the Environmental Impact Assessment Regulations 2014 (GN R.982) as amended on 07 April 2017. Any development (structures, pipelines, roads, etc.) within the regulated area of a watercourse¹ constitutes a **Section 21(c) and (i) water use**.

A General Authorisation will be applied for from the Department of Water and Sanitation for the use of water in terms of **Section 21(c) or (i) of the National Water Act, 1998 (Act 36 of 1998)** provided that the water use has a low-risk class as determined through the Risk Matrix. If the water use is of a high-risk class, a Water Use Licence should be applied for.

For Heritage Impact Assessments as required in Section 38(8) under the National Heritage Resources Act, 1999 (Act 25 of 1999).

1

- a. The outer edge of the 1 in 100-year flood line and/or delineated riparian habitat, whichever is the greatest distance, measured from the middle of the watercourse or a river, spring, natural channel, lake or dam;
- b. In the absence of a determined 1 in 100-year flood line or riparian area the area within 100 m from the edge of a watercourse where the edge of the watercourse is the first identifiable annual bank fill flood bench; or
- c. A 500 m radius from the delineated boundary (extent) of any wetland or pan.

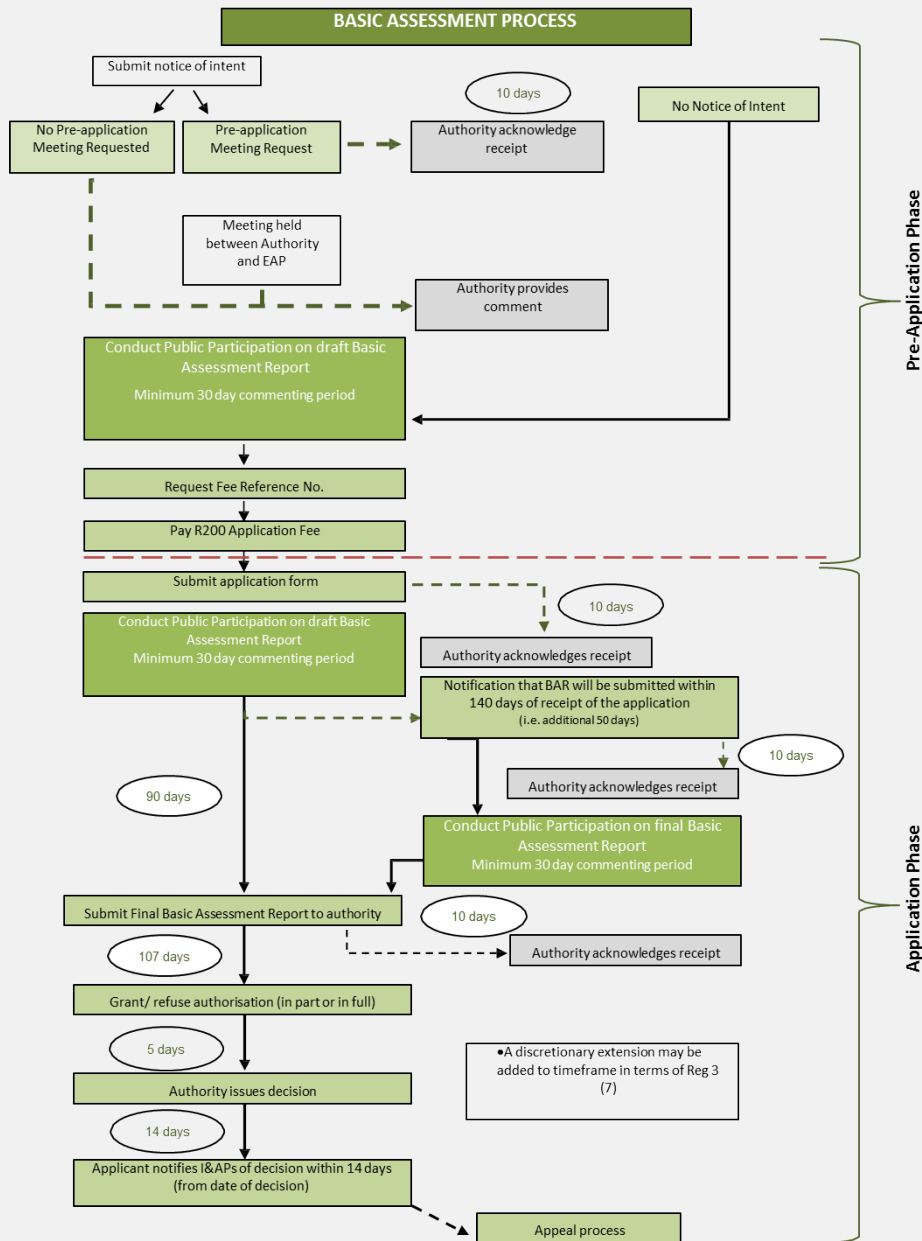


Figure 5.1 Basic Assessment Process

6. PUBLIC PARTICIPATION PROCESS

The sharing of information forms the basis of the public participation process (PPP) in terms of Section 41 of the Environmental Impact Assessment Regulations, 2014 (GN R.982) as amended, in order to provide I&APs the opportunity to partake in the Environmental Impact Assessment (EIA) process.

In terms of the public participation process in Section 41 of the EIA Regulations of 2014 as amended, your attention is drawn to your rights and responsibilities as a I&AP:

- To participate in the public participation process, you must register yourself on the project database with the correct contact details (refer to the Registration Form at the back of this document).
- You must ensure that any comments regarding the proposed project are submitted within the stipulated 30-day timeframes.
- You are required to disclose any direct business, financial, personal or other indirect interest that you may have regarding the approval or refusal of the application for Environmental Authorisation for the proposed project activity.

HOW TO BECOME INVOLVED

Kindly respond (e-mail or written letter) to our invitation, which will be advertised (i.e. fixed notice board, written notice, advertisement in newspaper):

- By returning the attached form at the back of this document to the relevant identified contact persons.
- By attending arranged open day meetings to be held during the course of the project and to be informed of the proposed dates and places for the public open day meetings to be held, if you are registered as an interested and/or affected party.
- By reviewing and commenting/providing input and feedback on the draft Reports within the stipulated 30-day review period (refer to **Figure 5.1 – Basic Assessment Process and I&AP commenting opportunities**).
- Your input into this process forms a key element with regard to the decision of the application for Environmental Authorisation. By completing and submitting the accompanying form, you automatically register yourself as an I&AP for this project and are ensured that your comments, concerns or queries raised regarding the project will be noted and brought to the attention of the Department. You will be provided with the necessary information on time.

To register as an I&AP, please submit your name, contact information and interest in the project to Ronaldo Retief (c/o) Nsovo Mdungazi at the contact details provided below within 30 days of receiving this correspondence.

Your participation in the process is highly appreciated.

Yours faithfully,

Ronaldo Retief

Delta Built Environment Consultants)

P.O. Box 35703, Lynnwood, Pretoria, 0180

Tel: 012 368 1850

Fax: 012 348 4738

Email: ronaldo.retief@deltabec.com / oshoek@deltabec.com

NOTICE OF APPLICATION FOR ENVIRONMENTAL AUTHORISATION, TOWNSHIP ESTABLISHMENT, SPECIALIST INVESTIGATIONS AND GENERAL AUTHORISATION THE PROPOSED OSHOEK PORT OF ENTRY SITE CLEARANCE AND REFURBISHMENTS, MPUMALANGA PROVINCE IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS OF 2014 (AS AMENDED), NATIONAL WATER ACT OF 1998 AND NATIONAL HERITAGE RESOURCES ACT OF 1999.

Reference: Oshoek Port Site Clearance

If you would like to register as an interested and affected party, please complete the form below and return it within 30 days of receipt of this document to:

Delta Built Environment Consultants
P.O. Box 35703, Lynnwood, Pretoria, 0180
Tel: 012 368 1850
Email: ronaldo.retief@deltabec.com

Title: _____ Initials: _____ First Name: _____

Surname: _____

Interest/nature of involvement, e.g. property owner: _____

Organisation: _____

E-mail: _____

Telephone work: _____ Telephone home: _____

Cellular Phone: _____ Fax: _____

Physical address (street) / property description (name and number):

Postal address:

What is your main area of interest with regard to the proposed activities?

Please register any possible comments, interests and/or concerns in this process:



public works

Department:
Public Works
REPUBLIC OF SOUTH AFRICA



Delta Built Environment Consultants

P O Box 35703

Menlo Park

0102

Reference: Oshoek Port Site Clearance

Dear Sirs,

NOTICE OF APPLICATION FOR ENVIRONMENTAL AUTHORISATION, TOWNSHIP ESTABLISHMENT, SPECIALIST INVESTIGATIONS AND GENERAL AUTHORISATION THE PROPOSED OSHOEK PORT OF ENTRY SITE CLEARANCE AND REFURBISHMENTS, MPUMALANGA PROVINCE IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS OF 2014 (AS AMENDED), NATIONAL WATER ACT OF 1998 AND NATIONAL HERITAGE RESOURCES ACT OF 1999.

As an Interested and Affected Party, I, _____
(full name), owner / tenant of property
_____ (name

of property), agree with the following (**kindly mark the applicable option/s**):

- I have **received information** regarding the application for Environmental Authorisation for the project mentioned above.
- I do not have any objections regarding the proposed project and I therefore wish to express my **consent or no-objection** for the proposed project.
- I **do not agree** with the proposed project and I therefore wish to express my **objection** to the proposed application for environmental authorisation.
- I want to **register as an I&AP** and to be kept informed of the process and of local open day sessions (please use attached form to fill in your contact details).
- I want to attend an information session of the proposed project at Delta BEC's head office in Pretoria, Gauteng Province

SIGNATURE: _____

DATE: _____